

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
LAFAYETTE DIVISION**

<b>LOIS MARTIN</b>	*	<b>CIVIL ACTION NO. 14-0459</b>
<b>VS.</b>	*	<b>JUDGE DOHERTY</b>
<b>CITY OF CROWLEY, ET AL</b>	*	<b>MAGISTRATE JUDGE WHITEHURST</b>

**ORDER**

Review of the complaint reveals that defendants, Chief K.P. Gibson, William Brown, David Melancon, Lt. Tammy Mallet, and Captain Donald Vail, were sued individually. Review of the answer filed by the defendants reveals that they have asserted the defense of qualified immunity. To the extent that the defendants were sued in their individual capacities, the heightened pleadings requirements apply. *See Baker v. Putnal*, 75 F.3d 190, 195 (5th Cir. 1996).

The undersigned finds that the allegations are insufficient as to these defendants. Accordingly, pursuant to the suggestion in *Schultea v. Wood*, 47 F.3d 1427, 1432-34 (5<sup>th</sup> Cir. 1995), **IT IS ORDERED** that the plaintiff file a Fed. R. Civ. P. 7(a) reply to the qualified immunity defense pled by the defendant **within twenty (20) days of receipt of this order**. Specifically, the reply shall state as to each defendant: (1) the constitutional rights that said defendant personally violated; (2) the facts that support the allegations against said defendant; and (3) the reasons why said defendant is not entitled to qualified immunity.

Failure to comply with this order will invite the imposition of sanctions under Federal Rule of Civil Procedure 16(f), including possible dismissal of all claims. *See Reyes v. Sazan*, 168 F.3d 158 (5<sup>th</sup> Cir. 1999). Should plaintiff fail to file the Rule 7(a) reply, defense counsel shall promptly notify the court by filing an appropriate motion.

Signed in Lafayette, Louisiana, this 22<sup>nd</sup> day of September, 2015.

A handwritten signature in black ink, appearing to read "Carol B. Whitehurst". The signature is fluid and cursive, with a large initial "C" and "W".

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**CAROL B. WHITEHURST**  
**UNITED STATES MAGISTRATE JUDGE**